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UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY

UNITED STATES OF  
AMERICA

*Plaintiff,*

v.

MOHAMED ALESSA

*Defendant.*

Honorable Dickinson R. Debevoise, U.S.D.J.

Criminal No. 11- *133 (DRD)*

CONSENT JUDGMENT AND PRELIMINARY  
ORDER OF FORFEITURE

**WHEREAS**, on July 26, 2010, the Federal Bureau of Investigation (hereinafter "FBI") commenced an administrative forfeiture of \$3,122 seized from Mohamed Alessa (hereinafter "Defendant") on June 5, 2010; and

**WHEREAS**, notice of the administrative forfeiture was sent to David L. Holman, Esq., attorney for the Defendant. All timely claims had to be received by August 30, 2010; and

**WHEREAS**, on August 15, 2010, the Defendant filed a deficient administrative claim to the \$3,122 with the FBI; and

**WHEREAS**, on August 24, 2010, the FBI notified the Defendant that his administrative claim was deficient and extended the time to file a timely claim to September 20, 2010; and

**WHEREAS**, on September 14, 2010, the Defendant filed an administrative claim to the \$3,122 with the Federal Bureau of Investigation; and

**WHEREAS**, on December 16, 2010, the United States filed an *Ex Parte* Motion and Order to Extend Time to Initiate Judicial Forfeiture Proceedings until December 16, 2011; and

**WHEREAS**, on or about March 3, 2011, the United States is scheduled to file an Information against the Defendant, charging him with knowingly and intentionally conspiring to commit at a place outside the United States an act that would constitute murder if committed in the special maritime and territorial jurisdiction of the United States, and did commit an act within the jurisdiction of the United States to effect the object of the conspiracy in violation of 18 U.S.C. § 956(a)(1); and

**WHEREAS**, on or about March 3, 2011, the Defendant will plead guilty to the Information; and

**WHEREAS**, pursuant to 18 U.S.C. § 981(a)(1)(G)(iii) and 28 U.S.C. § 2461, the court, in imposing a sentence on a person convicted of a federal crime of terrorism, shall order the Defendant to forfeit all assets, foreign or domestic derived from, involved in, or used or intended to be used to commit any federal crime of terrorism against the United States, citizens or residents of the United States, or their property; and

**WHEREAS**, pursuant to the plea agreement the Defendant agreed to forfeit \$3,009 in United States currency, which amount was seized by the FBI from the Defendant's checked luggage that the Defendant brought to John F. Kennedy International Airport on or about June 5, 2010, and any all United

States currency that the Defendant provided to an individual he know as “Basem” as reimbursement for payment of gym membership dues and initiation fees attributable to the Defendant; and

**WHEREAS**, the correct amount of currency seized on June 5, 2010 from the Defendant is \$3,122 (hereinafter the “Property”); and

**WHEREAS**, by virtue of the above, the United States is now entitled to all right, title and interest in the full amount seized, namely a total of \$3,122; and

**WHEREAS** the Defendant acknowledges that the Property was involved in an offense in violation of 18 U.S.C. § 956(a)(1), that it constitutes assets, foreign or domestic derived from, involved in, or used or intended to be used to commit any federal crime of terrorism against the United States, citizens or residents of the United States, or their property, and that the Property is therefore subject to forfeiture to the United States pursuant to 18 U.S.C. § 981(a)(1)(G)(iii) and 28 U.S.C. § 2461; and

**WHEREAS** the Defendant agrees to withdraw his administrative claim and agrees that all claims are hereby withdrawn; and

**WHEREAS** the Defendant agrees to administrative forfeiture of the Property, waives all interests in and claims to the Property, and hereby consents to the administrative forfeiture of the Property to the United States; and

**WHEREAS** the Defendant:

(1) Agrees to consent promptly upon request to the entry of any orders deemed necessary by the Government or the Court to complete the forfeiture and disposition of the Property;

(2) Waives the requirements of Federal Rules of Criminal Procedure 32.2 and 43(a) regarding notice of forfeiture in the charging instrument, announcement of the forfeiture in the Defendant's presence at sentencing, and incorporation of the forfeiture in the Judgment;

(3) Acknowledges that he understands that forfeiture of the Property will be part of the sentence imposed upon the Defendant in this case and waives any failure by the Court to advise the Defendant of this, pursuant to Federal Rule of Criminal Procedure 11(b)(1)(J), during the plea hearing;

(4) Will, pursuant to Rule 32.2(b)(3), promptly consent to the finalization of the order of forfeiture before sentencing if requested by the Government to do so;

(5) Waives, and agrees to hold the United States and its agents and employees harmless from, any and all claims whatsoever in connection with the seizure, forfeiture, and disposal of the Property described above;

(6) Waives all constitutional and statutory challenges of any kind to any forfeiture carried out pursuant to this consent judgment; and

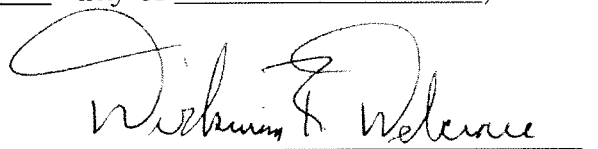
(7) Agrees to cooperate in resolving third-party claims in favor of the United States, and for good and sufficient cause shown,

It is hereby **ORDERED, ADJUDGED, AND DECREED:**

**THAT** the Property, namely a total of \$3,122, is hereby administratively forfeited to the United States of America pursuant to 18 U.S.C. § 981(a)(1)(G)(iii) and 28 U.S.C. § 2461, for disposition in accordance with the provisions of 21 U.S.C. § 853 as incorporated by 18 U.S.C. § 982(b)(1); and


**THAT** the aforementioned forfeited property is to be held by the appropriate United States agency in its secure custody and control until the appropriate disposition of said Property by the United States.

**ORDERED** this 3rd day of March, 2011.

  
Honorable Dickinson R. Debevoise  
United States District Judge

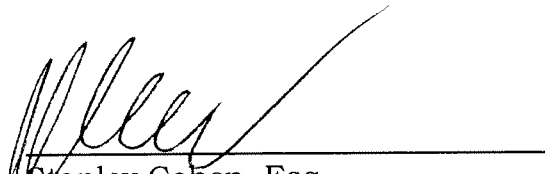
The undersigned hereby  
consent to the entry and  
form of this order:

PAUL J. FISHMAN  
United States Attorney

  
By: L. Jackson Welle  
Assistant United States Attorney

Dated:

3/02/2011

  
Stanley Cohen, Esq.  
Attorney for Defendant Mohamed Alessa

Dated:

3/3/11